

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
No. 4:17-CV-110-D

ELDER DEFORRORRA LOCUST,

Plaintiff,

v.

DON F. STROUD, et al.,

Defendants.

ORDER

On August 14, 2017, Elder Deforrorra Locust (“plaintiff” or “Locust”), proceeding pro se, filed an unsigned form complaint together with numerous exhibits. Compl. [D.E. 1], Exs. [D.E. 1-1 through 1-7]. On September 19, 2017, Locust filed a motion for entry of default as to Christopher Lander, who Locust did not name as a defendant in his original complaint [D.E. 15]. On November 21, 2017, the court denied Locust’s motion for entry of default, painstakingly explained the process for serving defendants in federal court, and gave Locust specific deadlines to complete and present summonses to the clerk’s office for issuance with a signature and seal and to effect service [D.E. 17]. The court further warned Locust that his failure to comply with the court’s order would result in the dismissal of this action. Id.

Locust has not complied with the court’s order. Locust again moves for “total default” because “not one defendant answer nothing to the court” [D.E. 20]. Locust also moves for “a new person” which the clerk construed as a motion for appointment of counsel [D.E. 21]. The motions lack merit and are DENIED. The court DISMISSES the action without prejudice. See Fed. R. Civ. P. 4(m); see also Clack v. Rappahannock Reg’l Staff, 590 F. App’x 291, 291–92 (4th Cir. 2015) (per

curiam) (unpublished); Ballard v. Carlson, 882 F.2d 93, 95 (4th Cir. 1989).

SO ORDERED. This 2 day of July 2018.



JAMES C. DEVER III
Chief United States District Judge